

EXHIBIT 2

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

RUSTEM KAZAZI; LEJLA KAZAZI; and
ERALD KAZAZI,

Movants,

v.

U.S. CUSTOMS AND BORDER
PROTECTION; UNITED STATES OF
AMERICA; KEVIN McALEENAN,
Commissioner, U.S. Customs and Border
Protection, sued in his official capacity;
TIMOTHY STARK, agent of U.S. Customs
and Border Protection, sued in his individual
capacity; and UNKNOWN AGENTS OF U.S.
CUSTOMS AND BORDER PROTECTION,
sued in their individual capacities

Respondents.

No. _____

DECLARATION OF LEJLA KAZAZI IN SUPPORT OF
RULE 41(G) MOTION FOR RETURN OF PROPERTY

I, Lejla Kazazi, declare under penalty of perjury that the following is true:

1. I am a citizen of the United States, a resident of the State of Ohio, and over 18 years old. I am fully competent to make this declaration, which I make based on my personal knowledge.

2. I am the wife of Rustem Kazazi and reside with him and our son Erald at 6948 Greenbriar Drive, Parma Heights, Ohio 44130. Rustem and I purchased our home in Parma Heights 7 years ago.

3. Along with my husband and two children, I immigrated to the United States from Albania in 2005 and became an American citizen in 2010.

4. In Albania, I was a high school science teacher and insurance specialist. Since moving to the U.S., I have worked as a press operator at Hugo Boss, a kitchen cook at Giant Eagle, security at Breen & Company, and a substitute teacher with the Renhill Group.

5. I am currently employed as an English instructor for speakers of other languages. I am fluent in English and Albanian.

6. On October 24, 2017, I drove my husband to Hopkins International Airport in Cleveland, Ohio. Although Rustem understands English well, his ability to communicate in English is limited. I assisted him with checking into his flight and accompanied him to the TSA security checkpoint. Then I left the airport to go to work for the day.

7. Rustem was leaving that day to travel to our home country of Albania. He brought with him \$58,100 in cash, which he planned to use to fix up our former home in the capital city, Tirana, which we want to eventually sell. Rustem also wanted to visit a few towns on the Adriatic coast to explore the possibility of buying a property there. Rustem and I have long dreamed of buying a vacation home for us to visit after we retire. We want to have a place where our children and extended family in Albania can gather and spend time together.

8. The rest of the money was needed for Rustem to be able to live for six months in Albania. Additionally, Rustem and I have family members in Albania who are struggling financially, and we wanted to help them.

9. In the 25 years that I have known him, Rustem has always been careful with money and careful to account for every penny. We have been married for 25 years and raised two children together. I trust him with balancing our checkbook, overseeing the filing of our

taxes, handling our bank deposits, and similar financial tasks. I have never once known him to miscount or misplace our money. I have no doubt at all that he was carrying the amount he says he was carrying, \$58,100.

10. Shortly after leaving the airport, I received a phone call from Rustem. He told me that officers at the airport had taken the entire \$58,100 in cash. I believed at the time that there was some mistake, so I encouraged Rustem to continue his trip. I told him that Erald and I would resolve the confusion, get the money back, and send it to Rustem in Albania as soon as possible.

11. A few weeks later, Rustem received a letter saying that CBP seized \$57,330 in cash from him because the money was connected to a “smuggling/drug trafficking/money laundering operation.” When I first read this letter, I was so upset because I knew that the money had come from working and saving, not anything criminal. We’ve never done anything like that.

12. We are a quiet and private family. Other than a few traffic citations over the years, we have never been in any trouble with the law. It was devastating to see those kinds of accusations against my husband, because they are completely false. I cannot understand how CBP could even say something like that without any evidence.

13. It was only later that I came to fully understand what had happened to Rustem and our life savings—the money was taken and held in the process of civil forfeiture.

14. Now, after seven long months, we are waiting for the return of our money, even though CBP has not started a case against us and no one has ever been charged with any crime.

15. Since Rustem’s money was seized, our lives have been turned upside down. We have been so stressed and worried that all the money we worked so hard to save could be gone

forever. Even though we did nothing wrong, we have not told anyone about what we are going through because we do not want to be judged or suspected of anything. This has been a tremendous burden for me, my husband, and my son.

16. I am often thinking and worrying about our money and whether we will get it back. It requires a lot of effort to stay focused at work, and I often have trouble sleeping. This was especially bad while Rustem was still in Albania, because he was without the money that he needed to carry out our family plans and live comfortably for six months.

17. I am worried about how this whole experience has impacted my son. Because this was such a confusing process, Rustem was overseas, and I was working full-time, Erald had to take time out of his schedule to figure everything out and communicate with CBP. He read all the letters and emails and translated them into Albanian for Rustem and me to understand. Without Erald helping us, I don't know what we would have done.

18. Because of these demands on his time, and the stress of dealing with everything, Erald had to withdraw from his classes during the spring 2018 semester. At his age, Erald should be focused on school and work, not having to help his parents with something like this.

19. Erald also worked hard to save for the money that was taken—he contributed \$24,667. The remainder was money that Rustem and I had earned and saved over the 13 years since moving to America. Rustem and I have both worked extremely hard to provide for our family and to save money for our future.

20. The \$58,100 in cash seized from Rustem represented 13 years of my family's hard work and sacrifice. We had specific plans for how we wanted to use that money. Instead, we have waited for seven months for CBP to take action against it or to return it.

I declare under penalty of perjury that all the foregoing is true and correct.

Executed this 30th day of May 2018.

/s/ Lejla Kazazi

Lejla Kazazi